

ORDINANCE NO. 3079

193

AN ORDINANCE ANNEXING CERTAIN LANDS TO THE CITY OF IDAHO FALLS; DESCRIBING SUCH LANDS; AMENDING THE CITY MAP; ASSIGNING A COMPREHENSIVE PLAN MAP DESIGNATION OF HIGH DENSITY RESIDENTIAL; AMENDING THE LEGAL DESCRIPTION OF THE CITY WITH THE APPROPRIATE COUNTY AND STATE AUTHORITIES; AND PROVIDING SEVERABILITY, PUBLICATION BY SUMMARY, AND ESTABLISHING EFFECTIVE DATE.

WHEREAS, the lands described in Exhibits A and B of this Ordinance are contiguous and adjacent to the City limits of the City of Idaho Falls, Idaho; and

WHEREAS, such lands described herein are subject to annexation to the City pursuant to the provisions of Idaho Code Section 50-222, and other laws, as amended; and

WHEREAS, the annexation of the lands described in Exhibits A and B is reasonably necessary to assure the orderly development of the City in order to allow efficient and economically viable provision of tax-supported and fee-supported municipal services; to enable the orderly development of private lands which benefit from a cost-effective availability of City services in urbanizing areas; and to equitably allocate the costs of City/public services in management of development on the City's urban fringe; and

WHEREAS, the City has authority to annex lands into the City upon compliance with procedures required in Idaho Code Section 50-222, as amended; and

WHEREAS, any portion of a highway lying wholly or partially within the lands to be annexed are included in the lands annexed by this Ordinance; and

WHEREAS, the lands annexed by this Ordinance are not connected to the City only by a "shoestring" or a strip of land which comprises a railroad or right-of-way; and

WHEREAS, all private landowners have consented to annexation of such lands where necessary; and

WHEREAS, the lands to be annexed are contiguous to the City and the City of Idaho Falls Comprehensive Plan includes the area of annexation; and

WHEREAS, the lands to be annexed are shown the Comprehensive Plan Map as "High Density Residential" and;

WHEREAS, after considering the written and oral comments of property owners whose lands would be annexed and other affected persons, City Council specifically makes the following findings:

REC'D OCT 31 2016

1) That the lands annexed meet the applicable requirements of Idaho Code Section 50-222 and does not fall within exceptions or conditional exceptions contained in Idaho Code Section 50-222;

2) The annexation is consistent with public purposes addressed in annexation and related plans prepared by the City; and

3) Annexation of the lands described in Exhibits A and C are reasonably necessary for the orderly development of the City; and

WHEREAS, it appears to the City Council that the lands described hereinbelow in Exhibits A and B of this Ordinance should be annexed to and become a part of the City of Idaho Falls, Idaho; and

WHEREAS, the City wishes to exercise jurisdiction over the annexed lands in a way that promotes the orderly development of such lands; and

WHEREAS, the City of Idaho Falls Comprehensive Plan sets out policies and strategies designed to promote and sustain future growth within the City; and

WHEREAS, for consistency with the Comprehensive Plan, the Council desires to designate the lands within the area of annexation as "High Density Residential"; and

WHEREAS, such designation is consistent with policies and principles contained within the City of Idaho Falls Comprehensive Plan; and

WHEREAS, the City desires the City of Idaho Falls Comprehensive Plan Map to be amended to reflect the designation contained in this Ordinance.

NOW THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF IDAHO FALLS, IDAHO, as follows:

SECTION 1. Annexation of Property. The lands described in Exhibits A and B are hereby annexed to the City of Idaho Falls, Idaho.

SECTION 2. Assigning a Comprehensive Plan Map Designation. The area being annexed is hereby assigned a Comprehensive Plan Map Designation of High Density Residential.

SECTION 3. Amended Map and Legal Description. The City Clerk shall file a certified copy of this Ordinance with the Bonneville County Auditor, Treasurer, and Assessor, within ten (10) days after the effective date hereof. The City Engineer shall, within ten (10) days after such effective date, file an amended legal description and map of the City, with the Bonneville County Recorder and Assessor and the Idaho State Tax Commission, all in accordance with Idaho Code Section 63-2215.

SECTION 4. Findings. That the findings contained in the recitals of this Ordinance be, and the same are hereby, adopted as the official City Council findings for this Ordinance, and that any

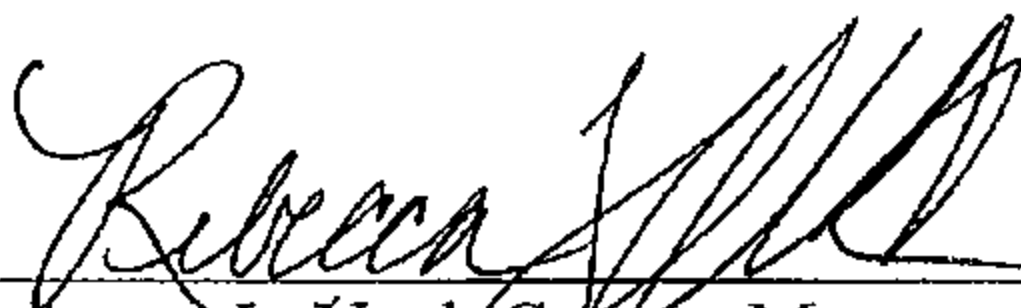
further findings relative to this Ordinance shall be contained in the officially adopted Council minutes of the meeting in which this Ordinance was passed.

SECTION 5. Savings and Severability Clause. The provisions and parts of this Ordinance are intended to be severable. If any section, sentence, clause or phrase of this Ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this Ordinance.


SECTION 6. Publication. This Ordinance, or a summary thereof in compliance with Idaho Code, shall be published once in the official newspaper of the City, and shall take effect immediately upon its passage, approval, and publication.

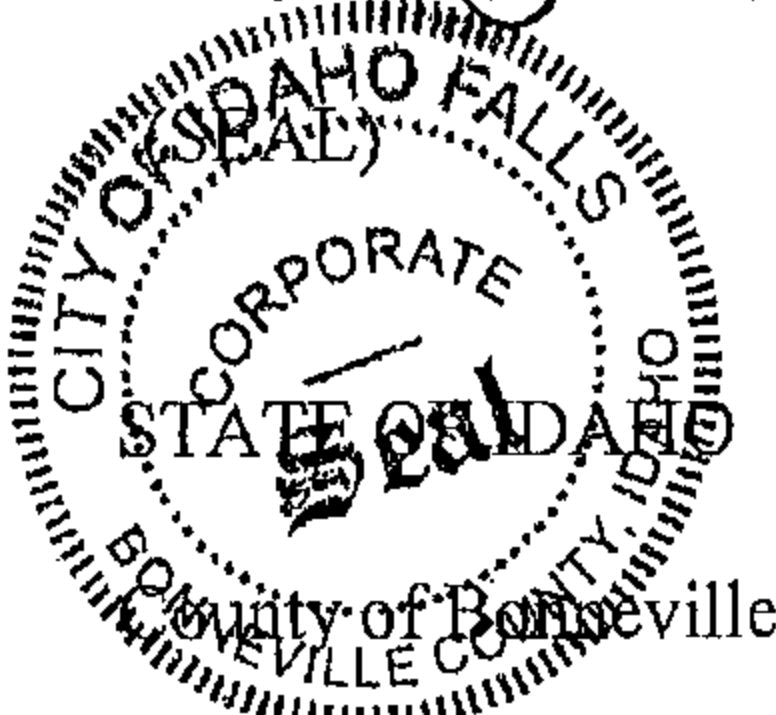
SECTION 7. Effective Date. This Ordinance shall be in full force and effect from and after its passage, approval and publication.

PASSED BY THE COUNCIL AND APPROVED BY THE MAYOR this 28 day of July, 2016.


Rebecca L. Noah Casper, Mayor

ATTEST:


Kathy Hampton, City Clerk




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: ss.
)

I, KATHY HAMPTON, CITY CLERK OF THE CITY OF IDAHO FALLS, IDAHO, DO HEREBY CERTIFY:

That the above and foregoing is a full, true and correct copy of the
ORDINANCE - SNAKE RIVER LANDING DIVISION 11 GAP - ANNEXATION

Ordinance entitled: "AN ORDINANCE ANNEXING CERTAIN LANDS TO THE CITY OF IDAHO FALLS; DESCRIBING SUCH LANDS; AMENDING THE CITY MAP; ASSIGNING A COMPREHENSIVE PLAN MAP DESIGNATION OF HIGH DENSITY RESIDENTIAL; AMENDING THE LEGAL DESCRIPTION OF THE CITY WITH THE APPROPRIATE COUNTY AND STATE AUTHORITIES; AND PROVIDING SEVERABILITY, PUBLICATION BY SUMMARY, AND ESTABLISHING EFFECTIVE DATE."


Kathy Hampton, City Clerk

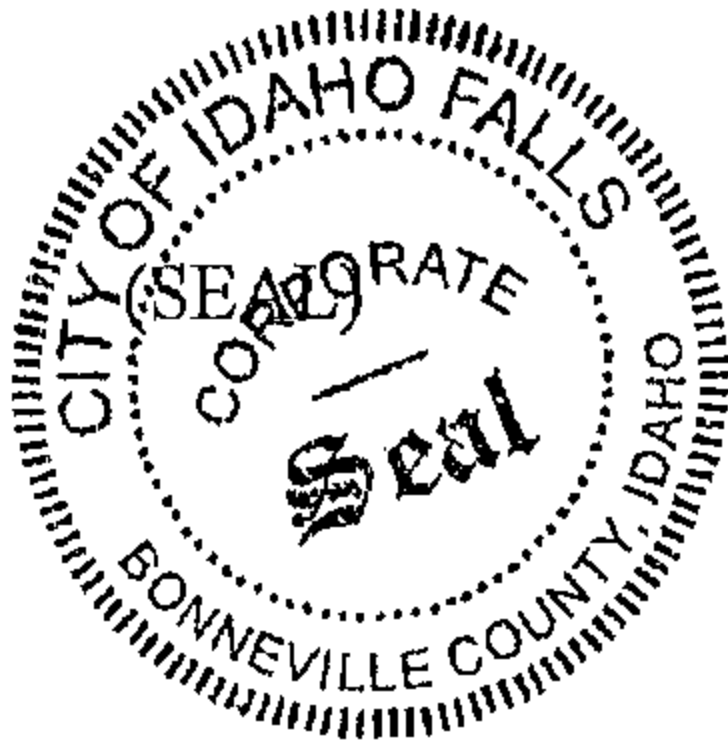


EXHIBIT **A**

LEGAL DESCRIPTION

A parcel of land being a portion of Lot 6 of the Northwest Quarter of Section 25, Township 2 North, Range 37 East, Boise Meridian, Bonneville County, Idaho more particularly described as follows:

Commencing at the Northwest corner of said Section 25, thence along the West line of said Section 25, South 00°40'29" West 1244.83 feet; thence South 90°00'00" East 1362.38 feet to a found 1/2" rebar with no cap; thence along the West line of Deed Instrument No. 393801, South 20°31'16" West 122.29 feet to a found 1/2" rebar with a cap stamped PLS 8795, being the Point of Beginning; thence along the West line of Deed Instrument No. 1245552, South 00°20'15" East 329.19 feet to a found 1/2" rebar with a cap stamped PLS 8795; thence along the South line of said Deed Instrument No. 1245552, North 86°08'40" East 576.64 feet to a found 1/2" rebar with a cap stamped PLS 827; thence along the South line of Deed Instrument No. 1300963, North 86°08'26" East 230.26 feet, more or less, to the West high water mark of the Snake River; thence along said West high water mark of the Snake River, South 02°59'36" West 25.04 feet, more or less, to the boundary line of Annexation Ordinance No. 2539; thence along said boundary line of Annexation Ordinance No. 2539 the following three (3) courses: South 86°50'41" West 813.21 feet; thence North 00°25'45" East 334.78 feet; thence North 20°47'53" East 10.60 feet, to the Point of Beginning.

This Parcel contains 0.416 acres, more or less

Submitted by:

Eng/Survey Firm Name: Horrocks Engineers, Inc. / Creek Hollow & Associates, Inc.

Contact Name: Clint Boyle, AIPC / Chris Adams, PLS

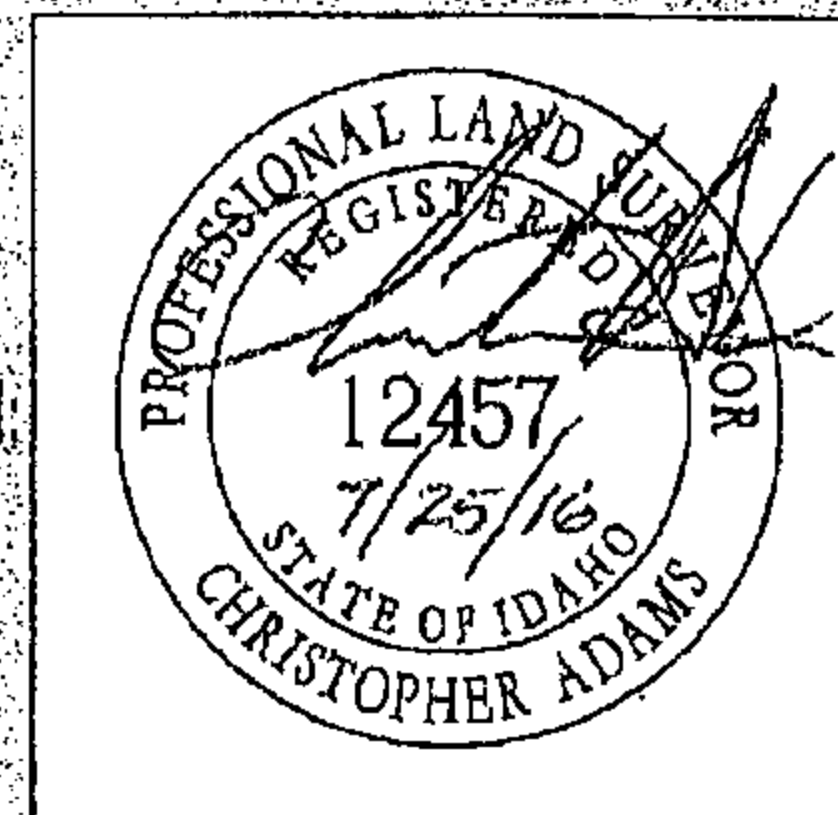
Phone Number: 208-522-1223 / 208-709-3113

Email: clintb@horrocks.com / adams@creekhollowinc.com

Page ____ of ____

Application for Annexation

PLS Seal:



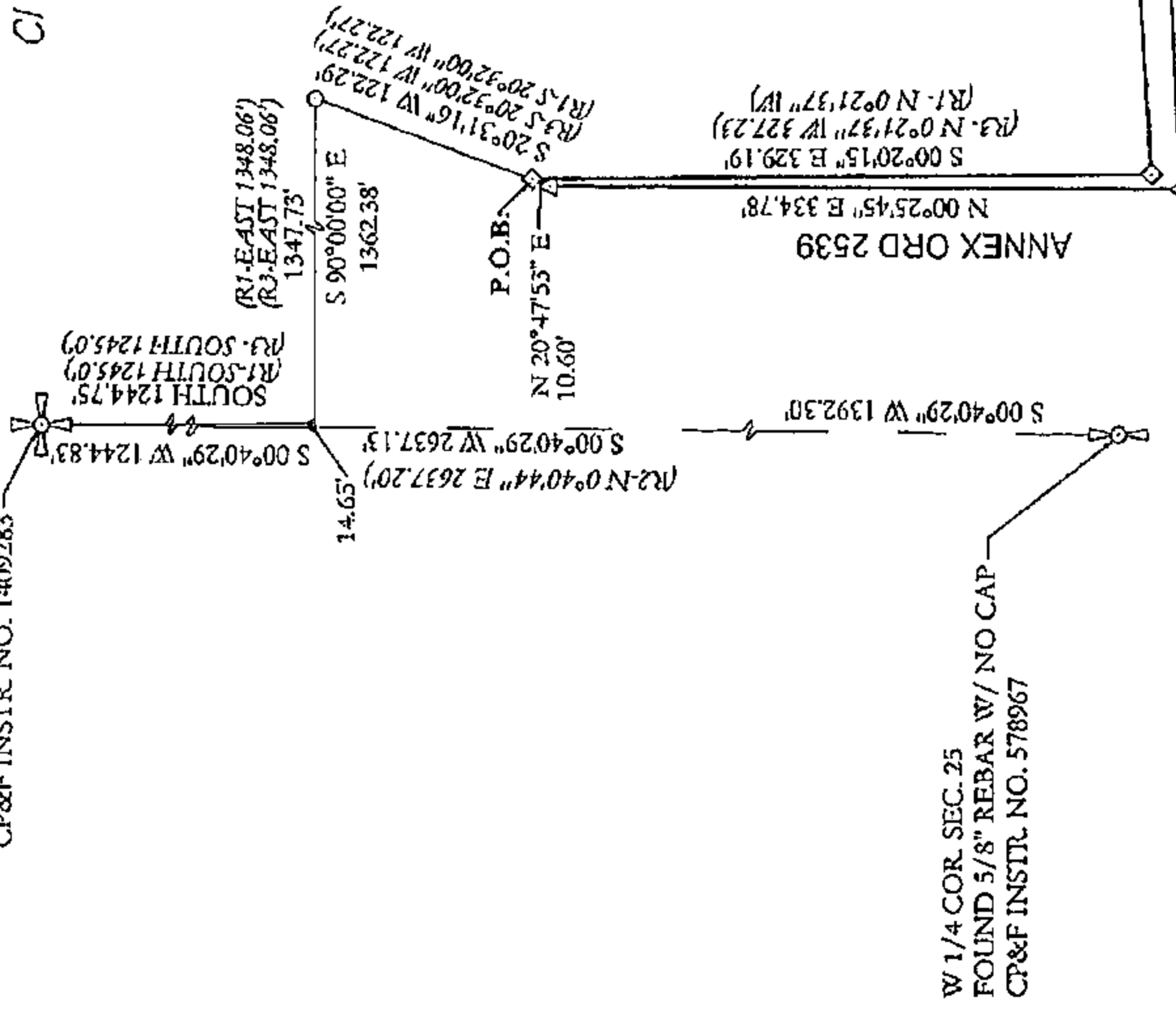
3/26/16

ANNEXATION
ORDINANCE
#

CITY OF IDAHO FALLS
EXHIBIT "B"

PART OF THE NW 1/4 OF SECTION 25, T. 2 N., R. 37 E., B.M.,
CITY OF IDAHO FALLS, BONNEVILLE COUNTY, IDAHO

NW COR. SEC. 25
FOUND BRASS CAP
CP&F INSTR. NO. 1409283



ANNEX ORD 2539

W 1/4 COR. SEC. 25
FOUND 5/8\" REBAR W/ NO CAP
CP&F INSTR. NO. 578967

THIS PARCEL CONTAINS 0.416 ACRES, MORE OR LESS

RECORDED WITH THE BONNEVILLE COUNTY RECORDERS OFFICE AS INSTRUMENT
NO.

PARCEL "A"
0.416 ACRES
(R3-S 86°07'30\" W 576.54')
N 86°08'40\" E 576.64'
S 86°50'41\" W 813.21'
N 86°08'26\" E 230.26'
S 02°59'36\" W 25.04'

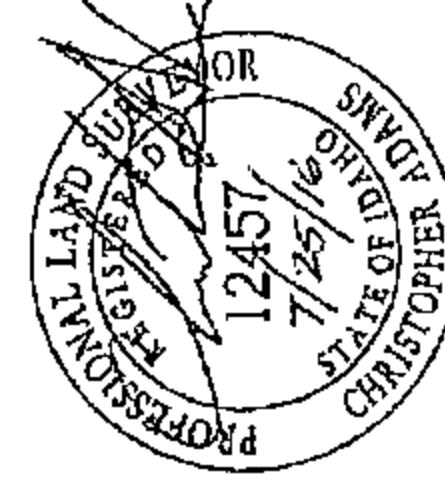
ANNEX ORD 2539

LEGEND

- ▲ CALCULATED POINT
- FOUND 1/2\" IRON ROD "NO CAP"
- ◇ FOUND 1/2\" IRON ROD P.L.S. 8795
- ⊗ FOUND 1/2\" IRON ROD P.L.S. 827
- ⊕ SECTION CORNER
- BOUNDARY LINE
- - - SECTION LINE

REFERENCE SURVEYS

- R1 - RECORD OF SURVEY INSTRUMENT#393801
- R2 - RECORD OF SURVEY INSTRUMENT#1245552
- R3 - RECORD OF SURVEY INSTRUMENT#100963



WARNING
IF THIS DRAWING IS NOT
MEASURED 1\" THEN
DRAWING IS NOT TO SCALE

HORROCKS
ENGINEERS

2162 West Grove Parkway
Suite 400
Pocatello, Idaho, UT 84202
(801) 763-5100

SNAKE RIVER LANDING DIVISION NO. 11

LEGAL DESCRIPTION EXHIBIT

DESIGNED	DRAWN	CHECKED	PROJECT NO.
			12457
			DATE
			DATE
			DATE